

REMARKS/ARGUMENTS

Applicant has reviewed and considered the Office Action dated January 21, 2009 and the cited references therein. In response thereto, claims 1-4, 10-11, and 13 are amended; and new claims 21 and 22 are added. Claims 5, 12, 14, and 16-20 are canceled without prejudice or disclaimer. Claims 1-4, 6-11, 13, 15, and 21-22 are pending in the present application. Applicant respectfully submits that no new matter is introduced in the amendment.

Rejections under 35 U.S.C. § 101

Claim 11 and its dependent claims are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claim 11 is amended to overcome the rejection.

Rejections under 35 U.S.C. § 102 and 35 U.S.C. § 103

Claims 1-4, 6-13 and 15 are rejected under 35 U.S.C. § 102(e) as being anticipated by Schiff, et al. (U.S. Publication No. 2003/0158777 A1) ("Schiff"). Claim 14 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Schiff, et al. in view of Eggleston, et al. (U.S. Patent No. 6,061,660) ("Eggleston"). Applicant respectfully traverses the rejections for at least the following reasons.

Claim 1 recites a marketing system that matches a customer profile to product/service offers marketed in a variety of web services resident on respective remote servers, the marketing system comprising: a database including a customer profile containing information related to a customer's interests in specific products and services; a database including a plurality of product/service offers related to specific products and services; and a server for executing a program operable to match one of the plurality of product/service offers to the customer profile, the customer profile being a permission-based marketing profile within the server which continuously communicates through Internet to scan for product/service offers that appear to match the customer profile, and provides customer instant communication with a product/service provider.

Schiff discloses a conventional user-driven data network communication system where a user portfolio is provided and controlled by a user to block access through the user's portfolio (see page 1, paragraph [0012]. More particularly, as shown in Figure 3, a user's **portfolio shows the Provider's identity** (indicated in FIG. 3 as "Sender"), the number of banners or any other type of message, e.g. advertisement movies, existing for each specific Provider and a priority that is set by the user (see page 6, paragraph [0101]). The message that comprises advertisements is displayed in a space of a web page belonging to a portal or web site, in which banners are normally displayed or destined to be displayed (see page 2, paragraph [0025]). In addition, the information contained in the user's portfolio comprises an indication of a viewing priority for each Provider (see page 2, paragraph [0026]). However, Schiff fails to disclose or teach a marketing system having a customer profile containing information related to customer's interests in specific products and services, a database including a plurality of product/service offers related to specific products and services marketed in a variety of web services resident on respective remote servers, and a server for executing a program operable to match one of the plurality of product/service offers to the customer profile, and the customer profile being a permission-based marketing profile within the server which continuously communicates through Internet to scan for product/service offers that appear to match the customer profile, and provides customer instant communication with a product/service provider. Accordingly, Applicant respectfully submits that claim 1 patentably distinguishes over Schiff.

The remaining claims either are dependent claims or recite the same or similar features discussed above, thus patentable over Schiff for at least the same reasons.

Eggleston fails to remedy the deficiencies of Schiff. Thus, claim 14 is patentable over Schiff in view of Eggleston.

New claim 21 further recites that the matched product/service offer is presented to the customer in an applet, and the server leverages information provided by the customer to individually tailor the offer and monitors customer's response to the presented offer and intelligently changes behavior of the applet based upon a customer's response. Support can be found on page 4, lines 15-22 of the present application. None of the cited references disclose or teach the features recited in claim 21. Thus, claim 21 is also patentable.

New claim 22 further recites a step of presenting the matched product/service offer to the customer in an applet, wherein the server leverages information provided by the customer to

individually tailor the offer; and monitoring customer's response to the presented offer and intelligently changing behavior of the applet based upon a customer's response. Support can be found on page 4, lines 15-22 of the present application. None of the cited references disclose or teach the features recited in claim 22. Thus, claim 22 is also patentable.

Conclusion

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Reconsideration of the present application and a favorable response are respectfully requested.

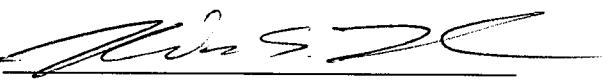
This response is being submitted before April 21, 2009, making this a timely response. It is believed that no fees are due in connection with this filing. However, the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment and notify us of same, to Deposit Account No. 04-1420.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at 612-752-7367.

Respectfully submitted,

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